

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

Plaintiff,

- against -

10CV6005 (RWS)

**DECLARATION OF
MATTHEW J. KOSTER**

THE CITY OF NEW YORK, DEPUTY CHIEF
MICHAEL MARINO, Tax Id. 873220, Individually and
in his Official Capacity, ASSISTANT CHIEF PATROL
BOROUGH BROOKLYN NORTH GERALD NELSON,
Tax Id. 912370, Individually and in his Official
Capacity, DEPUTY INSPECTOR STEVEN
MAURIELLO, Tax Id. 895117, Individually and in his
Official Capacity, CAPTAIN THEODORE
LAUTERBORN, Tax Id. 897840, Individually and in
his Official Capacity, LIEUTENANT JOSEPH
GOUGH, Tax Id. 894025, Individually and in his
Official Capacity, SERGEANT FREDERICK
SAWYER, Shield No. 2576, Individually and in his
Official Capacity, SERGEANT KURT DUNCAN,
Shield No. 2483, Individually and in his Official
Capacity, LIEUTENANT CHRISTOPHER
BROSCHART, Tax Id. 915354, Individually and in his
Official Capacity, LIEUTENANT TIMOTHY
CAUGHEY, Tax Id. 885374, Individually and in his
Official Capacity, SERGEANT SHANTEL JAMES,
Shield No. 3004, Individually and in his Official
Capacity and CAPTAIN TIMOTHY TRAINER Tax Id.
899922, Individually and in Their Official Capacity and
P.O.'s "JOHN DOE" #1-50, Individually and in their
Official Capacity (the name John Doe being fictitious,
as the true names are presently unknown)
(collectively referred to as "NYPD defendants"),
JAMAICA HOSPITAL MEDICAL CENTER, DR. ISAK
ISAKOV, Individually and in his Official Capacity, DR.
LILIAN ALDANA-BERNIER, Individually and in her
Official Capacity and JAMAICA HOSPITAL MEDICAL
CENTER EMPLOYEE'S "JOHN DOE" # 1-50,
Individually and in their Official Capacity (the name
John Doe being fictitious, as the true names are
presently unknown),

Defendants.
-----X

CALLAN, KOSTER,
BRADY & NAGLER, LLP
COUNSELORS AND
ATTORNEYS AT LAW
One Whitehall Street
New York, New York 10004
212-248-8800

MATTHEW J. KOSTER, ESQ., pursuant to 28 USC § 1746, declares under penalty of perjury that the following is true, based upon his personal knowledge and review of the file in this action:

1. I am associated with the law firm of Callan, Koster, Brady, Brennan & Nagler, LLP, attorneys for defendant DR. LILIAN ALDANA-BERNIER, in the above-entitled action. I am fully familiar with the facts and circumstances of this case based on a review of the file materials maintained in this office.

2. This declaration is submitted in opposition to the motion of plaintiff ADRIAN SCHOOLCRAFT (hereinafter plaintiff) for summary judgment on liability for violating his constitutional rights and for such other and further relief as this Court may deem just and proper.

3. Attached as Exhibit "A" is a true and accurate copy of defendant Dr. Lillian Aldana-Bernier's Deposition Transcript dated February 11, 2014.

4. Attached as Exhibit "B" is a true and accurate copy of Dr. Laurence Tancredi's affidavit dated February 11, 2015.

5. Attached as Exhibit "C" is a true and accurate copy of portions of Dr. Catherine Lamstein-Reiss's deposition transcript dated January 30, 2014.

6. Attached as Exhibit "D" is a true and accurate copy of plaintiff's medical records from Jamaica Hospital Medical Center with redactions.

7. Attached as Exhibit "E" is a true and accurate copy of the Dr. Aldana-Bernier's memo of law in support of her motion for summary judgment dated January 30, 2015.

WHEREFORE, it is respectfully requested that plaintiff's motion for summary judgment be denied in its entirety.

Dated: New York, New York
February 11, 2015



MATTHEW J. KOSTER

TO: NATHANIEL SMITH, ESQ.
111 Broadway, Suite 1305
New York, New York 10006
(212) 227-7062
natbsmith@gmail.com

Walter A. Kretz, Jr., Esq. (WK-4645)
SCOPPETTA SEIFF KRETZ & ABERCROMBIE
Attorneys for Defendant
DEPUTY INSPECTOR STEVEN MAURIELLO
444 Madison Avenue, 30th Floor
New York, New York 10022
(212) 371-4500
wakretz@seiffkretz.com

Gregory J. Radomisli, Esq. (GJR2670)
MARTIN, CLEARWATER & BELL, LLP
Attorneys for Defendant
JAMAICA HOSPITAL MEDICAL CENTER
220 East 42nd Street
New York, New York 10017-5842
(212) 697-3122
radomg@mcblaw.com

Brian E. Lee, Esq. (BL9495)
IVONE, DEVINE & JENSEN, LLP
Attorneys for Defendant
ISAK ISAKOV
2001 Marcus Avenue, Suite N100
Lake Success, New York 11042
(516) 326-2400
brianelee@idjlaw.com

Ryan Shaffer
Senior Assistant Corporation Counsel

ZACHARY W. CARTER,, ESQ.
CORPORATION COUNSEL OF THE CITY OF NEW YORK
Attorneys for CITY Defendants
NEW YORK CITY POLICE DEPARTMENT
Special Federal Litigation Division
New York City Law Department
100 Church Street, Room 2-124
New York, New York 10007
(212) 788-8703
rshaffer@law.nyc.gov